

SEP 08 2006

PTO/SB/21 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0031

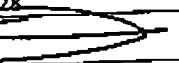
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/936,840
		Filing Date	January 7, 2002
		First Named Inventor	Damien ROSNEY et al.
		Group Art Unit	3731
		Examiner Name	Vi X. Nguyen
Total Number of Pages in This Submission		Attorney Docket Number	
		741890-18	

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment /Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Three Month Extension of Time <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Other 1.
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Tim L. Brackett, Jr. Reg. 36,092 Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	September 8, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

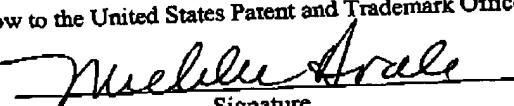
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September 8, 2006

Date



Signature

Michelle Duvall

Typed or printed name

FEE TRANSMITTAL FOR FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$60.00)

Complete if Known	
Application Number	09/936,840
Filing Date	January 7, 2002
First Named Inventor	Damien ROSNEY et al.
Examiner Name	Vi X. Nguyen
Art Unit	3731
Attorney Docket No.	741890-18

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METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

 Deposit Account:

Deposit Account Number

19-2380 (741890-18)

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 300	2001 150	Utility filing fee	
1002 200	2002 100	Design filing fee	
1003 200	2003 100	Plant filing fee	
1004 300	2004 150	Reissue filing fee	
1005 200	2005 100	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Fee from below	Fee Paid
Total Claims	0	Extra Claims -20** = 0 x 0 = 0	0
Independent Claims	0	-3** = 0 x 0 = 0	0
Multiple Dependent		x 0 = 0	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 50	2202 25	Claims in excess of 20
1203 200	2201 100	Independent claims in excess of 3
1204 360	2203 180	Multiple dependent claim, if not paid
1205 200	2204 100	** Reissue independent claims over original patent
	2205 25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or cash	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	60.00
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 500	2452 250	Petition to revive - unavoidable	
1453 1,500	2453 750	Petition to revive - unintentional	
1501 1,400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1503 1,100	2503 550	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (since number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(q))	
1910 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

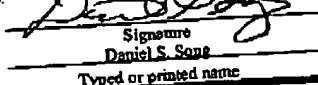
SUBTOTAL (3) (\$60.00)

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September 8, 2006
Date

 Signature
 Daniel S. Song
 Typed or printed name

Complete (if applicable)

(202) 585-8000

SUBMITTED BY	Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
	Daniel S. Song	43,143	(202) 585-8000

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SEP 08 2006

Attorney Docket No. 741890-18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of)
Damien ROSNEY et al.)
Application No. 09/936,840) Group Art Unit: 3734
Filed: January 7, 2002) Examiner: Vi X. Nguyen
Confirmation No. 1494) Dated: September 8, 2006
For: A SURGICAL ACCESS DEVICE)

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Michelle Duvall
Michelle Duvall

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following is presented in response to the Office Action mailed May 8, 2006, in
connection with the above-identified patent application.